

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GREGORY BANKS,

Case No. 2:13-cv-00324-RCJ-PAL

Plaintiff,

ORDER

v.

(Mtn for Copies – Dkt. #51)

JOYCE, A.M. CALL NURSE, et al.,

Defendants.

This matter is before the court on Plaintiff Gregory Banks' Motion for Copies (Dkt. #51) filed February 2, 2015. This matter was referred to the undersigned pursuant to 28 U.S.C. § 636(a)(1)(A) and LR 1-3. The court has considered the Motion.

Plaintiff is a prisoner proceeding in this civil rights action pro se and in forma pauperis. He has filed a form motion to request copies in a habeas case, which represents that he needs copy work services to litigate this case and to serve the Defendants.

Generally, an inmate has no constitutional right to free photocopying. *See Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). The statute providing authority to proceed in forma pauperis, 28 U.S.C. § 1915, does not include the right to obtain court documents without payment. *Id.* "The granting of an application to proceed in forma pauperis does not waive the applicant's responsibility to pay expenses of litigation which are not covered by 28 U.S.C. § 1915." LSR 1-8.

Additionally, courts in other jurisdictions have not permitted plaintiffs proceeding in forma pauperis to receive free copies of documents from the court without the plaintiff demonstrating a specific showing of need. *See, e.g., Collins v. Goord*, 438 F.Supp. 2d 399 (S.D.N.Y. 2006); *Guinn v. Hoecker*, 43 F.3d 1483 (10th Cir. 1994) (no right to free copy of any document in record unless plaintiff demonstrates specific need); *In re Richard*, 914 F.2d 1526


1 (6th Cir. 1990) (28 U.S.C. § 1915 does not give litigant right to have documents copied at
2 government expense); *Douglas v. Green*, 327 F.2d 661, 662 (6th Cir. 1964) (no free copy of
3 court orders).

4 Here, Plaintiff has not stated any specific reason that he needs any particular copies. The
5 form motion asserts only a general need “for documents relevant to the instant proceeding,
6 including, but not limited to, supplemented/amended pleadings, motions, responses, replies,
7 notices, etc.” to serve on opposing parties and for Plaintiff’s own file. Motion at 2:22-25. This
8 is an insufficient showing, and Plaintiff’s Motion will therefore be denied without prejudice. If
9 Plaintiff does have a specific need for certain copies, he may file a renewed motion that states his
10 particular need for certain copies and includes a copy of Plaintiff’s inmate balance sheet to
11 demonstrate he cannot afford to pay for them.

12 Accordingly,

13 **IT IS ORDERED** that Plaintiff’s Motion for Copies (Dkt. #51) is DENIED.

14 Dated this 18th day of March, 2015.

15
16 
17 PEGGY A. LEEN
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27
28